

MAY. 2. 2005 6:55PM

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NO. 337 P. 1

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DATE: May 2, 2005
FROM: Jeffrey R. Gray
TO: Art Unit: 3651
The Patent and Trademark Office
Attn: Examiner Joseph A. Dillon Jr.
SERIAL NO.: 10/672,856
FILE NO.: 921128-94773
FACSIMILE: 1-703-872-9306

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NO. 337 P. 2

MAY 02 2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE THE APPLICATION OF

R. Todd Swinderman et al.

SERIAL NO.: 10/672,856

FILED: September 26, 2003

FOR: Air Supported Conveyor With
Multipressure Plenum System

) File No. 921128-94773

)

) Examiner: Joseph A. Dillon Jr.

)

) Art Unit: 3651

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**STATUS INQUIRY AND PROVISIONAL RESPONSE TO THE OFFICE ACTION
OF DECEMBER 15, 2004**

Commissioner of Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Dear Sir:

An Office Action issued in the above patent application on December 15, 2004 rejecting claims 1-16, and indicating that claims 17-26 were withdrawn from consideration. The drawings as filed on September 26, 2003 were indicated to be accepted. A telephone interview was held with Examiner Dillon in regard to this application on January 27, 2005, as reported in the Interview Summary mailed January 31, 2005. In the interview amendments to independent claims 1 and 6 were agreed upon that would place all pending claims 1-16 in condition for allowance, while claims 17-26 would be cancelled from the application. A set of Amended Claims is set forth on the following pages including the amendments to independent claims 1 and 6 that were agreed in the interview to place claims 1-16 in condition for allowance. Examiner Dillon indicated that he would enter these amendments to the claims by an Examiner's Amendment.

At least as early as March 8, 2005 the PAIR website of the U.S. Patent and Trademark Office indicated that a Notice of Allowability was processed on February 8, 2005. On March 22, 2005 the undersigned had a telephone conversation with Examiner Dillon as the Notice of Allowability, Examiner's Amendment and Notice of Allowance had not yet been received. Examiner Dillon indicated that the case was allowed and suggested that the undersigned check back with him in several weeks if the documents had not yet been received.

On April 13, 2005 the undersigned left a voice mail message for Examiner Dillon reporting that the Notice of Allowability, Examiner's Amendment and the Notice of Allowance still had not yet been received. On April 14, 2005 Examiner Dillon left a message for the undersigned reporting that he was checking on the status of these documents and suggested that the undersigned check back again in several weeks if these documents were not yet received.

On April 25, 2005 the undersigned had a further telephone conversation with Examiner Dillon in regard to the status of the Notice of Allowability, Examiner's Amendment and the Notice of Allowance. Examiner Dillon said that he had checked with his Supervisor and that there was a problem in the scanning of these documents. Examiner Dillon reported that the Notice of Allowance had not yet been mailed such that the three-month period for paying the issue fee was not yet running. Examiner Dillon again suggested that the undersigned check back again in several weeks if the documents were not yet received.

As the PAIR website indicates that this application was allowed at least as early as February 8, 2005, and as examiner Dillon has confirmed he allowed this application, it is respectfully submitted that no further response to the Office Action of December 15, 2004 is required. However, in the event that it should be determined a further response to that office action by the applicant is required, please enter the amendments to the claims as shown in the following pages, as were agreed to in the interview with Examiner Dillon, and as Examiner Dillon indicated would place the claims in condition for allowance. In addition, if any further

response is deemed necessary, please charge any extension of time fees that may be required to
Deposit Account No. 12-0913.